

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 98,723-E1)

In re Application of:

**Juan Saus**

Serial No.: 10/008,721

Filed: **December 7, 2001**

For: **TNF-Inducible Promoters And Methods  
For Using**

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)  
)  
) Art Unit: 1647

)  
) Examiner: **Seharaseyon**

)  
) Conf. No. 5105

BOX: AMENDMENT  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-14501

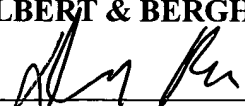
**RESPONSE TO THE OFFICE ACTION MAILED MARCH 1, 2005**

Sir:

In response to the Office Action mailed March 1, 2005, the Applicants herewith elect the invention of Group I, claims 1-13 and 16-19 drawn to claims for isolated nucleic acid sequences expression vectors, and recombinant host cells containing same, for further prosecution in the current application. The election is made with traverse, as the search required to pursue the remaining claim set extensively overlaps with the search required for Group I. The Applicants further elect SEQ ID NO:6 for prosecution in the case. This election is also made with traverse, as it imposes an undue burden on the Applicant, in requiring many different applications to be pursued for these closely related inventions.

If there are any questions about this matter, the patent office can contact the below-signed attorney at 312-913-0001.

**Respectfully submitted,  
McDONNELL BOEHNEN  
HULBERT & BERGHOFF**

*3/24/05*  
  
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David S. Harper  
Reg. No. 42,636